IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2600 OF 2004

Shri Sadiq R. Almelkar ... Petitioner

v/s

Shri B. B. Agarwal and anr. ... Respondents

Mr S.R. Page for Petitioner.

Mr V.K. Chaudhary for Respondent No.1.

Mr V.A. Gangal for Respondent No.2.

CORAM : D.K. DESHMUKH J.

DATE : 15TH JUNE 2005.

P.C. :-

1. Both the Courts below have concurrently found prima facie that the plaintiff - respondent is in possession of the suit property and therefore, an order of temporary injunction protecting his possession has been passed. That order is operating from September 2001. In these circumstances therefore, in my opinion, it will not be appropriate to entertain this petition.

It is rejected.

. Parties to act on the copy of this order duly authenticated by the Sheristedar / Personal Secretary of this Court as true copy.

. Certified copy expedited.